IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.8472 OF 2004

Mr.G.S.Godbole for the Petitioner.

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions	Court's or Judge's orders
	CORAM: D.K.DESHMUKH, J.
	DATED: 14th September,2005
	P.C.:
	By the order impugned the trial court has directed the Defendants Nos. 1 & 2 to pay maintenance to all the Plaintiffs. Order has been made on the application at Exh.7 of the record of the trial court. Perusal of the application at Exh.7 on the record of the trial court shows that in that application the prayer was for grant of maintenance to Plaintiffs Nos. 1, 2 & 3 only and not to Plaintiff No.4. The reason appears to be that the Plaintiff No.4 is a married daughter of Plaintiff No.1. It is obvious

that therefore the trial court was not justified in directing the Defendants Nos. 1 & 2 to pay maintenance to the Plaintiff No.4.

2. The order impugned is, therefore, modified to the extent that it directs payment of maintenance to the Plaintiff No.4 also. However, the Plaintiff No.4 shall be entitled to make a fresh application for maintenance, if according to her she is also entitled to claim maintenance. I am passing this order without issuing notice to the Plaintiff No.4, therefore, if the Plaintiff No.4 feels aggrieved by this order, she will be at liberty to approach the court. Petition disposed of.

Petitioner to serve a copy of this order on the Plaintiff No.4 within a period of four weeks from today.

...